

**ENROLLED ORIGINAL**

**A RESOLUTION**

14-656

**IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**

December 3, 2002

To declare, on an emergency basis, the sense of the Council to request of the United States Postal Service that fumigation hours at the Curseen-Morris Distribution Center occur only during weekend hours.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council That Fumigation Hours Occur Only on the Weekend Emergency Resolution of 2002".

Sec. 2. The Council finds that:

(1) The U.S. Postal Service facility located at 900 Brentwood Road, NE was redesignated as the Joseph Curseen, Jr., and Thomas Morris, Jr., Processing and Distribution Center by bill No. H.R. 3287, introduced by Congresswoman Eleanor Holmes Norton and passed unanimously by the U.S. Congress on September 4, 2002;

(2) Joseph Curseen, Jr., and Thomas Morris, Jr., died as the result of inhaling anthrax spores introduced into the postal facility by unknown terrorists and the anthrax precipitated the closing and anticipated fumigation of the facility;

(3) Workers will conduct the fumigation in and about the Curseen-Morris Distribution Center with 20,000 tons of chemicals which will become 2,000 pounds of chlorine dioxide gas;

(4) The fumigation of the Curseen-Morris building, which includes over 17.3 million cubic feet of space, will require that the chlorine dioxide gas be generated on site, and pumped into the facility and maintained at a constant 75 degree temperature and 75 percent humidity in order to kill the remaining anthrax spores;

(5) The fumigation process includes a federal requirement that the United States Postal Service ("USPS") obtain a crisis exemption from the Environmental Protection Agency ("EPA") prior to beginning the process;

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(6) Upon receipt of the EPA's crisis exemption, the USPS will fumigate the Curseen-Morris building, provided that the outside air temperature is above 32 degrees on average;

(7) If the temperature drops below 32 degrees on average during the time of fumigation, the USPS may have to heat the chemicals outside of the building for them to work properly;

(8) The fumigation process is not designed to require the deployment of emergency response capabilities while the fumigation is on-going;

(9) The Committee on Government Operations held a hearing on November 1, 2002 at 10 a.m., in the Council Chambers to conduct an assessment of the preliminary decontamination tests conducted at the Joseph Curseen, Jr., and Thomas Morris, Jr., Processing and Distribution Center;

(10) The District of Columbia's emergency management resources are limited;

(11) The ability of the District of Columbia to respond to an unplanned emergency event at the Curseen-Morris building is significantly compromised by the gridlocked rush-hour traffic in both directions along New York Avenue and Rhode Island Avenue during the work week;

(12) Restricting traffic on Brentwood Road during the rush hour significantly hampers the ability of the District's Police and Fire and Emergency Medical Service providers to respond to events on both sides of the New York Avenue and Rhode Island Avenue corridors, since Brentwood Road is the only cross street providing a thoroughfare across both Rhode Island and New York Avenue for many blocks;

(13) Fumigating the post office when traffic flow is restricted by commuting traffic patterns on both New York Avenue and Rhode Island Avenue unreasonably limits access to Children's Hospital, the Washington Hospital Center, and Providence Hospital for both the residents of the District of Columbia and the workers conducting the fumigation of the Curseen-Morris Postal Distribution Facility; and

(14) The District of Columbia Emergency Management Agency should not have to plan for the contingency of rush hour traffic during their efforts to plan for contingencies surrounding an event during the fumigation process.

Sec. 3. It is the sense of the Council that it is a reasonable accommodation, and balancing of the interests of the residents of the District of Columbia and those of the USPS, that the fumigation hours at the Curseen-Morris Distribution Center be restricted to between the hours of 12:00 a.m. on Saturday and 6:00 a.m. on Monday.

Sec. 4. The Secretary to the Council of the District of Columbia shall transmit copies of this resolution upon its adoption to the United States Postal Service, their contractors at the Curseen-Morris Processing and Distribution Center, the Environmental Protection Agency, the Occupational Safety and Health Administration, and the Mayor.

Sec. 5. This resolution shall take effect immediately.